

Rod D. Margo (State Bar No.: 097706)
Jennifer J. Johnston (State Bar No.: 125737)
CONDON & FORSYTH LLP
1901 Avenue of the Stars, Suite 850
Los Angeles, California 90067-6010
Telephone: (310) 557-2030
Facsimile: (310) 557-1299
Email: rmargo@condonlaw.com
Email: jjohnston@condonlaw.com

Attorneys for *Specially Appearing* Defendant
BUMBO (PTY) LTD.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DYLAN LAMM, a minor by and
through his guardian ad litem MARY
CATHERINE DOHERTY; and KEVIN
LAMM,

Plaintiffs,

vs.

BUMBO, BUMBO LIMITED, BUMBO
(PTY) LTD.; TARGET
CORPORATION; and DOES 1 to 20,

Defendants.

Case No. C-07-04807 MHP

**DECLARATION OF JENNIFER
J. JOHNSTON IN SUPPORT OF
REPLY TO PLAINTIFF'S
OPPOSITION TO *AMENDED*
MOTION TO QUASH SERVICE,
DISMISS FOR IMPROPER
SERVICE, LACK OF PERSONAL
JURISDICTION AND FAILURE
TO SERVE, AND FOR
SANCTIONS**

Date: March 10, 2008
Time: 2:00 p.m.
Place: Courtroom of the Hon.
Marilyn Hall Patel

I, Jennifer J. Johnston, declare:

1. I am a member of the law firm of Condon & Forsyth LLP, attorneys
of record for defendant Bumbo (Pty) Ltd. I have personal knowledge of the facts
stated in this declaration, except for those facts stated upon information and belief
and, as to those facts, I am informed and believe that they are true and correct. If
called as a witness, I could competently testify to these facts. I submit this
declaration in support of Bumbo (Pty) Ltd.'s Reply to Plaintiffs' Opposition to the

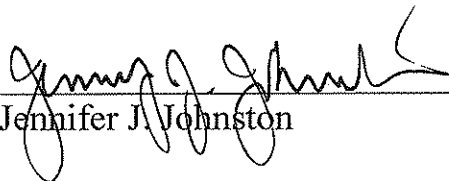
1 Amended Motion to Quash Service and Dismiss for Insufficient Service of Process
2 and Lack of Personal Jurisdiction and for Sanctions.

3 2. Attached hereto as Exhibit "A" is a true and correct copy of Rule 4 of
4 the South African Rules of Court. I am informed and believe that Rule 4 provides
5 that any documentation initiating proceedings shall be effected by the Sheriff.

6 3. In addition to plaintiffs' counsel in the case at hand, I have contacted
7 attorneys for plaintiffs in other cases presently pending against Bumbo (Pty) Ltd.,
8 and have asked them to contact me if they believed they served Bumbo (Pty) Ltd.
9 Plaintiffs' counsel here were the only attorneys who refused to cooperate and
10 provide information.

11 4. In one of these other pending actions, also styled as a class action and
12 entitled *Mathison v. Bumbo, et al.*, Case No. 07CC01399, venued in California
13 state court, specifically, Orange County, plaintiffs' counsel has acknowledged that
14 there are service requirements for service on foreign corporations and has
15 indicated that he is currently in the process of serving Bumbo (Pty) Ltd. via a letter
16 rogatory. Plaintiffs' counsel also told me that he had spoken with counsel for
17 plaintiffs in the case at hand and expressed his view that a letter rogatory was the
18 only appropriate method by which to serve Bumbo (Pty) Ltd.

19 Executed this 25 day of February 2008 at Los Angeles, California.

20
21 
22 Jennifer J. Johnston